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Just Pretending:

Political Apologies for Historical Injustice and Vice's Tribute to Virtue

Abstract:

Should we be concerned with, or alarmed or outraged by, the insincerity and hypocrisy of politicians who apologise for historical injustice? This paper argues that the correct reply to this question is: sometimes, but not always. In order to establish what types of insincerity must be avoided, Judith Shklar's hierarchy of ordinary vices is critically revisited. Against Shklar's overly benign account of hypocrisy, the paper then tries to demonstrate that only institutional and harmful forms of hypocrisy must be rejected in political apologies for historical injustice. Employing Melissa Nobles's 'membership theory', this paper defends the claim that the sincerity standard for political apologies is, in stark contrast to apologies between individuals, agent-independent. This means that in political apologies, rather than focusing on the remorse and regret of the agent who apologises, we must primarily examine the apology's consequences in terms of re-negotiating the legal, political, and affective dimensions of citizenship. In domestic affairs, the paper shows that apologies can only be considered sincere if they push the polity towards a more inclusive conception of membership in the political community.

Keywords: historical injustice, hypocrisy, moderate realism, political apology, sincerity;

I. Just Pretending in the Age of Apology

Whereas politicians have traditionally been unwilling to offer apologies for historical injustices committed by the state they represent, we are currently witnessing a veritable wave of such apologies around the world. Past cases of genocide, enslavement, land displacement, violation of earlier treaties, wartime casualties, ethnic discrimination, cultural disruptions, political seizures, and many other types of human rights abuses have constituted reasons for expressions of sorrow. (Gibney et al. 2008; Andrieu 2009; Celermajer 2009) Confronted with this ‘apology mania’ (Beauchamp 2007, p.87; Taft 2000, p.1135), both in domestic and international politics, not only bad-tempered observers might be inclined to suspect insincerity and hypocrisy everywhere. The problem is that given there are nowadays so many politicians asking for forgiveness, who would seriously believe they are being sincere when they apologise for yet another instance of historical injustice? Politicians, it is sometimes remarked, only apologise for crimes from the distant past when it is in their own strategic interest to acknowledge these crimes – for example, when they try to cater to a specific sector of the electorate, or when they seek to boost their reputation as virtuous leaders. Politicians also seem to be more eager to apologise when domestic or international pressure to ask for forgiveness becomes overwhelming. The verbose rhetoric of many apologies further fuels scepticism about their merit in general. Thus, the cynical posture often prevails: apologies which exacerbate “gestural politics” awash in self-interest and crocodile tears [...] enable governments and leaders to defuse angry minority groups without committing any actual resources to the problems of injustice and exclusion’.

(MacLachlan 2010, p.347)

This negative perception naturally leads to the question whether we should indeed be concerned with or alarmed or outraged by the insincerity and hypocrisy of those who apologise for historical injustice. I believe that the correct answer must be: sometimes, but not always. Sometimes, but not always, insincere and hypocritical apologies deserve our moral condemnation and social criticism. If we accept this hypothesis for the time being, the really intriguing question must surely be: *When* should we be concerned with, or alarmed or outraged by the insincerity and hypocrisy of those who apologise for historical injustice?¹

Before I attempt to give an answer to this question, the main concepts need to be defined. First, hypocrisy, according to the *Oxford English Dictionary*, is ‘[t]he assuming of a false appearance of virtue or goodness, with dissimulation of real character or inclinations, esp. in respect of religious life or beliefs; hence in a general sense, dissimulation, pretence, sham’. (Anon 1989) This paper will largely make use of the *OED*’s definition, while also referring to the ordinary language understanding of hypocrisy as a ‘failure to practise what one preaches’. Second, the class of political apologies covered in this paper involves apologies offered by democratically elected representatives for historical injustice. As such, many cases of political apologies are deliberately excluded from the scope of this paper. For example, I will not address the issue of what democratically elected officials (need to) do when they ask for forgiveness for misdeeds or moral failings in their private lives. The paper focusses on the state as an agent of historical injustice and as an agent who has the necessary standing to offer the corresponding apology.² By historical injustice I understand ‘harms or wrongs committed by individuals, groups or institutions against other individuals and groups who are now dead, but whose descendants live today’. (Iverson 2006, p.509) While this

definition extends to both crimes within the state and between states, in the discussion I will mostly attend to apologies for historical injustice within the state.

Having identified the two main terms of the analysis, I propose that the goal of this approach be to take a first step towards a normative account of insincerity and hypocrisy (and, *ex negativo*, of sincerity) in political apologies, an account that permits us to assess these apologies in a contextually sensitive way, without resorting to the overly sceptical attitude of rejecting all political apologies as hopelessly empty gestures. I shall argue that we can identify a specific sincerity test which democratically elected representatives need to pass when they apologise for historical injustice. However, and this makes the debate around political apologies so polemical (and fruitful for academic inquiry), this test is quite unlike the sincerity standard we normally apply in interpersonal relations.

To adopt Wittgenstein's phrase, with regard to this sincerity standard a 'picture held us captive' (Wittgenstein 2009, p.53e): it is the picture that politicians asking for forgiveness for historical injustice need to be of a 'pure heart', thereby avoiding any contagion of insincere and hypocritical reasoning. However, this excessively moralistic image of political apologies distorts our moral compass, for it sets a wrongly calibrated sincerity standard for democratically elected officials, modelled on interpersonal relations. While we should indeed dispense with the notion of a 'pure heart' when holding politicians accountable, I do not think we can do away with the ideal of sincerity as such. Apologies need to be sincere to be authentic. Yet, the meaning of sincerity must be modified once we shift from interpersonal relations to political affairs. This requires a certain level of creative imagination from normative theory. As the final section articulates, a genuinely political conception of apologies for historical injustice

needs to be ‘moderately realist’ to answer the question *when* insincerity and hypocrisy deserve our moral condemnation and social criticism. The broader ambition of this essay is to deliver, through an engagement with apologies for historical injustice, a primer for a more complex understanding of sincerity in democratic politics.

The argument advances in three steps. Section II presents the idea that the alleged hypocrisy of political apologies is irrelevant because, despite its bad reputation, not all forms of hypocrisy should be reduced to a vice. The *summum malum* for liberals is cruelty, not hypocrisy. (Shklar 1979; Shklar 1982) I then argue that we are well advised to distinguish contextually between situations in which hypocrisy can be cruel and harmful and others in which it remains innocuous. Section III teases out the implications this idea has for political apologies. If we go beyond a simplistic, overhasty dichotomy between sincerity and hypocrisy, it follows that political apologies must be grappled with in a more nuanced manner. I maintain that our critical attention should be focussed on cases of political apologies that are cruel and harmful in that they are decoupled from further—both symbolic and material—remedies for historical injustice. The final part of the paper (IV) sketches the contours of a moderately realist account of political agency.

II. Not so Ordinary? Judith Shklar’s Hierarchy of Vices Revisited

Since the main purpose of this paper is to delineate the conditions under which we can identify political apologies that are cruelly and harmfully hypocritical, we first need to set the scene by outlining the peculiar nature of political hypocrisy in general. For this initial step, there is no better place to start than Judith Shklar’s work. This section will, therefore, summarise Shklar’s ideas about political hypocrisy and highlight their strengths and weaknesses.

Shklar's interpretation of the role of hypocrisy in politics is situated within a larger project of assessing vices that are both private and public, such as cruelty, hypocrisy, and treachery. (Hoffmann 1989; Hoffmann 1993; Whiteside 1999) By default, the vice to be most feared in liberal democracies is cruelty. (Shklar 1982; Rorty 1989, p.xv) Those inhabiting liberal democracies should, therefore, be primarily concerned with the fight against, and the elimination of, cruelty. This idea forms the core of what Shklar calls the 'liberalism of fear'. (Shklar 1989; Levy 2000) This 'dystopic' vision of liberalism is to be understood as a reaction to cruelty that is inherent in the human condition. (Benhabib 1994) As a consequence, liberal democracies must aim at minimising and containing the harm caused by cruelty. In terms of concrete policies, this implies that governmental institutions must be severely limited in order to protect citizens.

Where does the prioritising of cruelty leave hypocrisy, then? For Shklar, hypocrisy, as well as other ordinary vices such as snobbery and treachery, is of secondary importance in terms of their potential for endangering liberal democracies. Her argument derives from the observation that in democracies the scope of rhetoric is overwhelming: in order to garner support for their agendas, politicians need to persuade their constituency. Rhetoric creates expectations politicians can hardly live up to. The hyperbolic way in which politicians must describe their character as virtuous makes hypocrisy rather inevitable.

Yet, such blatant hypocrisy makes it appealing for political opponents to play the game of unmasking insincere statements, and, on Shklar's view, this protest against hypocrisy can easily degenerate into Puritan zealotry.³ Puritans become so obsessed with the wickedness of their opponents that they stop scrutinising their own shortcomings. Over-

sensitivity to what is sometimes conceived as the horror of hypocrisy might, furthermore, lead to a disregard for the true evil in politics – cruelty. Faced with such realities, Shklar’s sober conclusion is simply: ‘[w]hat we have to live with is a morally pluralistic world in which hypocrisy and counter-hypocrisy are joined to form a discrete system.’ (Shklar 1979, p.10)

If we accept that cruelty has absolute priority over other vices, it follows that we must learn to live with hypocrisy as a by-product of how the political game is played in liberal democracies. However, this is mainly a description of, much less a normative position on, hypocrisy. Shklar goes one step further when she attributes positive effects to hypocrisy. Take the following, by now notorious, discussion of racist and anti-Semitic behaviour:

In fact, we assume that our public roles carry greater moral responsibilities than our private ones. We expect to behave better as citizens and public officials than as actors in the private sphere. The whole concern about corruption in government turns on that, and it does yield immense hypocrisy, but pretended virtue may curtail graft and other vices as well. It is, for example, no longer acceptable to make racist and anti-Semitic remarks in public in America; yet in private conversation, racism and anti-Semitism are expressed as freely and as frequently as ever. [...] Should our public conduct really mirror our private, inner selves? Often our public manners are better than our personal laxities.

(Shklar 1979, p.19)

The idea here is that the wearing of a mask might in fact have a ‘civilising force’ on the hypocrite. (Elster 2007, p.406; Elster 2009, p.63) Exaggerating the dangers of hypocrisy can, therefore, undermine the progressive aspects of moralistic self-elevation; in liberal

democracies, public exposure filters morally unacceptable positions to the extent that some statements – for example racist and anti-Semitic ones – become simply unutterable. (Davidson 2004) Hypocrisy, in La Rochefoucauld’s memorable and poignant phrase, is the ‘tribute that vice pays to virtue’. (La Rochefoucauld 1959, p.65)

Taking into account these positive effects of hypocrisy, we can maintain that Shklar does not only deem the campaign against hypocrisy futile, given the structural set-up of liberal democracies; she also claims that, in certain respects, hypocrisy might actually further societal goals – such as equality and liberty (Shklar 1979, p.19) – as long as it facilitates deliberations. Accepting a certain level of hypocrisy is, then, the opposite of a conversation-stopper: it enables the continuation of dialogue and negotiation.⁴

Before I demonstrate the usefulness that the Shklarian conception of hypocrisy has for grappling with political apologies, a few qualifications are needed. I will follow three authors who have sought to launch an immanent critique of Shklar’s hierarchy of vices so as to refine her benevolent depiction of hypocrisy.⁵ For the sake of systematicity I will merely highlight three aspects: (1) the internal complexity of hypocrisy as a vice, (2) the crucial distinction between personal and institutional hypocrisy, and (3) the intricate connection between hypocrisy and cruelty.

First, there is the issue of Shklar’s monolithic understanding of hypocrisy. While David Runciman endorses the claim that liberal democratic politics cannot, and should not, eliminate hypocrisy altogether, he departs from Shklar’s framework in the more subtle assessment of hypocrisy’s potential harm he provides. (Runciman 2006; Runciman 2008) Recall that Shklar’s concern lies with a single vice against which liberal democracies need to guard themselves (cruelty). Runciman disagrees with this appraisal and maintains that political hypocrisy’s ubiquitous presence must not lead us

straightforwardly to endorse it. In terms of developing solid criteria that would permit a distinction between tolerable and intolerable forms of political hypocrisy, Runciman cautions against general statements; we should be ready to judge between tolerable and intolerable forms of hypocrisy. Unqualified resignation is not the best policy.

The second qualification concerns the distinction between personal and institutional hypocrisy, notably emphasised by Dennis Thompson. (Thompson 1996; Thompson 1999) This distinction can help us take Runciman's conclusion further by delivering a criterion for separating tolerable from intolerable hypocrisy. Personal hypocrisy in the political realm is a character feature of specific individuals, pertaining to their motives and actions. (Stark 1997) This 'hypocrisy of leaders' (Furia 2008) was indeed the main object of Shklar's approval as benign. But institutional hypocrisy is rather different in nature:

Institutional hypocrisy involves a disparity between the publicly avowed purposes of an institution and its actual performance or function. This disparity often develops over time as an institution comes to serve purposes other than those for which it was established. (Thompson 1996, p.176)

Perhaps the most striking paradigm of such institutional hypocrisy during the early history of the USA has been the reality of slavery, as it coexisted, apparently without friction, with the values of liberty and equality enshrined in the Constitution. Thompson argues that institutional hypocrisy like this poses a far greater danger to democracies than the personal hypocrisy of leaders. For democratic deliberation to flourish, institutional hypocrisy needs to be tackled, while the personal hypocrisy of politicians should to a certain extent be grudgingly accepted.

The third aspect in which Shklar's view of hypocrisy might be seen as unsatisfactory is in her treatment of the relationship between hypocrisy and cruelty. Suzanne Dovi builds on Shklar's account in a manner similar to Runciman and Thompson by subscribing to the notion that hypocrisy cannot be overcome completely in liberal democracies. (Dovi 2001) However, she objects to the 'cruelty first' view on the grounds that it underestimates the destructive impact hypocrisy can have on liberal democracies. Through an analysis of the NATO-led war in Yugoslavia in 1999, Dovi attempts to show that in some situations it is of the utmost importance that politicians be held accountable for their hypocritical words and deeds. In the case of the 'humanitarian intervention' in Kosovo, Western practitioners and theorists deliberately misrepresented the legal admissibility of a NATO-led war so as to justify the bombardment of Yugoslavia. In so doing, on Dovi's account, they diverted attention from their own violations of human rights standards. Consequently, Dovi asserts, even if the 'cruelty first' view can claim some plausibility, it must be revised so as to make room for the potentially harmful impact of hypocrisy. Not all cases of hypocrisy are, therefore, censurable – only those that in fact endanger the fundamental institutions of liberal democracies are.

The following internal revisions to Shklar's account of hypocrisy thus seem indispensable. Runciman, Thompson, and Dovi sketch a multi-layered picture of political agency in which there is both place for some forms of hypocrisy and for some types of anti-hypocrisy. As Runciman advises, the central question is where and when to draw the line between tolerable and intolerable hypocrisy. Thompson and Dovi propose criteria for getting the mix between hypocrisy and anti-hypocrisy right: institutional and cruel hypocrisy are not to be tolerated within a liberal democracy.

Armed with this theoretical arsenal, I will now turn to political apologies in order to examine which sincerity standard is appropriate for them.

III. Adjusting the Sincerity Standard in Political Apologies

In interpersonal relations, the very idea of an insincere, hypocritical apology appears oxymoronic. If I simply pretend to be sorry for self-interested reasons, my expression of remorse and regret is automatically rendered meaningless. Dissimulating sorrow, therefore, invalidates the act of apologising from the start. A rich literature has sought to explore the ritual of apology from the perspective of such relationships between persons. While there is great variation among different authors on the exact role that different elements play within an apology, a consensus has emerged that an authentic apology implies an acknowledgement that the incident in question did in fact occur and that it was inappropriate, a recognition of responsibility for the act, the expression of an attitude of regret and a feeling of remorse, and the declaration of an intention to refrain from similar acts in future. (Tavuchis 1991; De Gruchy 2002; Lazare 2004; N. Smith 2008)

What it takes for a collective to apologise is harder to explain. As one author has aptly remarked, apologies offered by collectives add ‘a few more coats of gray’ (N. Smith 2008, p.155) to a subject matter that, even on the individual level, cannot be sketched in strokes of black and white. When focussing on collective agents, further specifications need to be added. Not all collective agents are, strictly speaking, political. Political apologies in the narrower sense are issued by officials, such as presidents, prime ministers, or members of parliament, who act in the name of the *demos* they represent. (Minow 1998; Mills 2001; Weyeneth 2001; Barkan & Karn 2006; Govier 2006; Marrus 2007; Löwenheim 2009) This fact points to one of the main problems usually associated

with political apologies: since the democratic authority of officials is based on their legitimate representation of the electorate, political apologies are pervaded by a proxy structure. (Negash 2006; Griswold 2007; Villadsen 2008)

This proxy structure shows why the framework developed for understanding interpersonal apologies cannot be seamlessly transferred to the scrutinising of apologies by political agents. First, there is the issue of institutional responsibility: why should officials who have themselves not directly caused or contributed to the historical injustice apologise for violations their distant predecessors perpetrated? Although there are strong voices arguing against the very idea of collective apologising for injustices that took place in the distant past (Trouillot 2000; Beauchamp 2007), the dominant standpoint appears to be that it is normatively sound to ascribe responsibility to the institution of the state as continuous in time and as transcending the particular individuals constituting it at a certain moment. (Cunningham 1999; Gill 2000; Cunningham 2008)

Second, there is the issue of whether a state apology must necessarily express remorse and regret in order to count as sincere. While officials offering the apology might (or might not) experience such feelings, remorse and regret are not necessary conditions of an authentic apology by agents like the state. Remorse and regret are clearly emotional features of a person asking for forgiveness of another individual: he or she must feel sorry for what he or she is apologising for; otherwise it is simply not a case of ‘apologising’. But this feeling of sorrow cannot be a necessary condition for a state’s apologising. The reason for this is simply that all collective apologies, including those issued by states, operate within the proxy structure alluded to earlier – a representative acts in the name of a community.

How, then, can we speak of a sincere apology when the feelings of remorse and regret are precluded by the proxy structure underpinning all mechanisms of representation? Commentators have consistently pointed out that collectives are under radically different obligations from those individuals are under. One perspective entails that political apologies primarily have an expressive function. They publicly convey the message of assuming responsibility for historical injustice, ‘to put things on record, to document as a prelude to reconciliation’. (Tavuchis 1991, p.109) Others have added that political apologies need to go beyond this expressive function to be sincere:

It may be noted that pressure for an apology may be self-defeating, in that any apology offered as a result of pressure may (would) not have the attributes that are central to some constructions of the apology: that it be freely given and be sincere. The issue of sincerity is problematic as presumably one can never be sure of the sincerity of the apology; this is why the link with compensation is often made, since it would provide a concrete and material test of the sincerity of the apology. (Cunningham 2004, pp.565-566)

With this broad characterisation of a ‘concrete and material test of the sincerity’ in the background, the ties to the earlier discussion of hypocrisy can be established. The differentiated account of hypocrisy developed in section II underlines the importance of singling out cases where hypocritical words and deeds can be linked to some form of cruelty, and where they take institutional (as opposed to personal) forms. Applied to political apologies, the consequence of this account is the following: Cunningham’s ‘concrete and material test’ implies that the assessment of an apology’s sincerity is decoupled from the agent offering the apology. Thus, it should not matter at all whether an official asking for forgiveness in the name of the *demos* personally feels any kind of

remorse or regret. He or she is apologising for an institution that formerly caused or contributed to injustice. In contrast with interpersonal apologies, the sincerity standard in political apologies remains, therefore, agnostic towards the person who occupies the official role. As a result, in the case of political apologies we must try to track down institutional and cruel hypocrisy. Indignation over the personal hypocrisy of leaders might to a certain extent be reasonable, and it is without a doubt understandable; but section II has shown that too strong a concern with this particular kind of hypocrisy can cloud our vision of what makes other types of hypocrisy so dangerous.⁶

I thus contend that political apologies are to be assessed on a consequentialist basis: their sincerity must be measured according to the consequences they trigger. (Tsosie 2006, p.191; Bright Fleming 2008, p.101) Examining the consequences allows us to move beyond a moralistic understanding of political apologies that exaggerates the significance of a politician's virtuous character. In order to tease out the implications of the differentiated account of hypocrisy, with its emphasis on consequences, I will now draw on Melissa Nobles's recent work. Nobles analyses political apologies in domestic affairs, addressed to historically disenfranchised parts of the population within the state, such as Aboriginal peoples. The following reflections about how the consequentialist basis for assessing the sincerity of political apologies can be specified will focus on domestic affairs. Nobles develops a 'membership theory' of political apologies, which is based on the theoretical claim that

political actors use official apologies in ongoing efforts to reshape the meanings and terms of national membership. Membership in a political community exists along three dimensions: legal, political, and affective. The three are inextricably

linked. [...] The acknowledgment of historic injustice, which an apology announces, is directly tied to altering membership. (Nobles 2008, p.36)

In her empirical research, Nobles compares political apologies to indigenous groups in four different countries that have all been British colonies: Australia, Canada, New Zealand, and the United States. For our purposes, the results of this empirical research are of less relevance than the theoretical claim about expanding membership along the three dimensions of law, politics, and affect. Nobles argues at length that membership in a political community encompasses more than merely the legal status of being a citizen of the state. This legal status is intrinsically associated with political participation and with a sense of belonging. For democratic societies it is crucial to establish and maintain strong connections between legal status, political participation, and a sense of belonging.⁷ Otherwise citizens might be formally enfranchised, but suffer from structural exclusion. Apologies for historical injustice in domestic affairs seek to bring the legal, political, and affective dimensions of membership into closer conjunction – they work towards complementing formal with substantial enfranchisement.

Nobles's claim sheds new light on the issue of sincerity and hypocrisy, precisely because it firmly roots political apologies in a more holistic story of reconciliation. Apologies 'open the books' of history so as to establish new potentials of inclusion for all citizens. They can, therefore, pave the way for deep-reaching transformations of the body politic. (Nobles 2008, pp.139-141) These transformations may follow different routes: various measures can be taken to further the societal goal of reconciliation. (Schaap 2005; Butt 2009; C. Murphy 2010) But the membership theory stipulates that political apologies are always embedded in current struggles over more inclusive forms

of membership. These struggles turn around ‘historical justifications for present-day recognition’. (Nobles 2008, p.3)⁸

Apologies for historical injustice in domestic affairs must come with a robust commitment to substantial enfranchisement. Their ultimate purpose is to enable citizens, whose past of victimisation accounts for structural exclusion today, fully to realise membership in the political community. This can only be done by encouraging participation and by cultivating a sense of belonging. In bringing the legal, political, and affective dimensions of membership into closer conjunction, political apologies can, therefore, strengthen the civic stability of the political community. A political community is more stable, and less vulnerable to violent contestations from within, once its citizens perceive political participation as a legitimate opportunity for democratic self-rule. What is more, acknowledging historical injustices through political apologies can instil in the victims’ descendants a sentiment of attachment to their co-citizens.⁹

Conversely, politicians who offer apologies with a view to settling accounts once and for all deserve moral condemnation and social criticism.¹⁰ Apologetic politicians who fail to follow up on the robust commitment to substantial enfranchisement are dangerously hypocritical. Their pretending to be sorry is profoundly unjust because they manage to project an image of moral self-righteousness without keeping the promise of rectifying historical injustice. Apologies of this variety are in fact detrimental to the practice of reconciliation underlying any engagement with historical injustice, for these politicians merely feign serious concern through the cheap talk of asking for forgiveness. This amounts to institutional and cruel hypocrisy.

As a (still) counter-factual example from the real world that demonstrates the potential of the membership theory to draw a line between tolerable and intolerable hypocrisy, I want to turn to the ongoing dispute over the Armenian genocide in the Ottoman Empire during WW I. (Akçam 2004) Roughly speaking, the current situation seems to be that the controversy over the Armenian genocide could play a somewhat decisive role in Turkey's prospects for joining the European Union (EU). Some EU member states appear to be adamant about following France's example in making Turkey's accession conditional on an official acknowledgment of the genocide. (Anon 2006; Anon 2004; Anon 2008b) Now let us assume that Turkey bowed to the external pressure and gave up its denial stance in favour of recognising the genocide. Let us further suppose that Turkey would indeed issue an apology for the crimes committed.¹¹

An apology by Turkey would obviously influence its international relations with the Republic of Armenia as well as its domestic relations with the Armenian minority. Using Nobles's argument, I will concentrate on the question of how an apology should ideally transform affairs between the Turkish state and the Armenian minority. Starting from the idea that political apologies necessarily open the books of history so as to negotiate the boundaries of membership, it is fairly obvious how the pretensions of Turkish politicians might eventually be validated. If the apology helped to render membership in its legal, political, and affective dimensions more inclusive, it would be irrelevant whether it was external pressure that had triggered the collective expression of sorrow. The hypocrisy involved in the sudden alteration of the official narrative can be neglected so long as further measures to transform the body politic are undertaken. In concrete terms, this would almost certainly imply deleting the notorious Article 301 of the penal code which makes the insult of the 'Turkish nation' punishable by imprisonment. (Cheterian 2007; Balakian 2007)

On the other hand, it would be appropriate to dub the apology harmfully hypocritical if no additional steps to negotiate the boundaries of membership were initiated. Should the ways in which Turks of Armenian descent effectively exercise their citizenship – both in terms of political participation and in terms of a sense of belonging – remain untouched by the apology, suspicions about the merit of the apology would be highly warranted. In this sense, the consequentialist logic clarifies what type of hypocrisy needs to be rejected such that one among several conditions of success for political apologies can be outlined. If a Turkish state official apologised for the Armenian genocide with the plainly stated intention ‘in order to move on’ from the denial stance, this statement alone cannot be enough. The evaluation of the apology would be contingent on what actually followed from the statement.

A critic might object that this consequentialist account of political apology is too restrictive since it makes the sincerity of apology directly reliant on the renegotiation of the boundaries of membership along legal, political, and affective axes. Does a political apology not have merit even if it is not accompanied by a rectification of the historical injustice?¹² One cause for the failure to rectify might not lie in self-righteousness; it might simply be that restitution and reparation have become unattainable because the victims’ descendents cannot be easily identified. As an example of such a situation, consider various attempts to apologise for slavery. The critic might sensibly submit that while there is no disagreement about the terrible gravity of the historical injustice, it is difficult, if not impossible, to single out a group of people towards whom the additional reconciliatory practices could be channelled. In some cases of historical injustice, such as slavery, the privity prerequisite cannot be ascertained: it is, on this view, not clear how a causal connection between perpetrator and victim is to be established that would permit meaningful redress for the descendants of slaves today. In other words, we are

dealing here with the problem of indeterminacy as regards the victims, which is frequently invoked to call into question the potential of political apologies.

(Cunningham 2008, p.255)

On the account defended in this paper, any political apology incapable of leading to a more inclusive, and hence more stable, body politic is institutionally and cruelly hypocritical. How is this claim compatible with the certainly praiseworthy attempt to apologise for slavery? In response to the critic, I would maintain that the requirement to make amends should be interpreted widely. What the standard of sincerity means concretely in terms of transforming the legal, political, and affective dimensions of membership is, of course, an empirical question that cannot be abstractly answered. These transformations will vary from context to context, crucially depending on the nature and the scope of the historical injustice under scrutiny.

However, minimally this much can be alleged: the reason why a particular state should apologise for its involvement in slavery is evidently not that the historical injustice distorts the hitherto impeccable narrative of nation-building. Rather, the obligation to apologise is grounded in the very fact that the historical injustice, in an important sense, is still marring society today. In the context of the US, scholars have, therefore, sought to demonstrate that present-day socio-economic inequalities between the African-American and the White population can be traced back to a past of racial exploitation and oppression. (Brooks 1999, pp.309-438) The membership theory is not confined to material restitution and reparation for victims' descendents; it further points to the need for dealing with social pathologies and systemic inequities that mark the body politic in its entirety. That is why an apology for slavery can, according to this point of view, be conducive to a more inclusive society in a variety of ways that might eventually go beyond material restitution and reparation.

The flipside of this consequentialist reading of the sincerity standard is that the state should not issue an apology for a historical injustice if no additional reconciliatory practices can be developed. This means that an apology must be avoided if the state is in no position to do anything about the historical injustice in question. This idea is based on the intuition that some forms of historical injustice – over the course of time – are rather too disconnected from the current situation in which the state finds itself. To illustrate this intuition consider the following example of an apology offered by one state to another. One of the many reasons why the Danish apology to Ireland in 2007 over the Viking raids more than 1200 years ago sounds so hollow (not to say ludicrous) is that one cannot even begin to imagine what measures might seriously follow from this statement. (Bowcott 2007; Jones 2011, p.557) When the Danish Culture Minister Brian Mikkelsen asked for forgiveness of Ireland, the only thing that ensued was a series of congratulatory comments on the impressive quality of the replica ship that sailed from Roskilde to Dublin, commemorating the Viking pillage and rape. (Anon 2007a)

IV. Finding the Middle Road between Realism and Moralism

Before returning to the argumentative framework within which this conceptualisation of political apologies has been articulated, a methodological excursus is required. The examples in the previous section show that context matters. Apologising for the Armenian genocide is not the same as apologising for slavery. When trying to appraise the details of each situation, we will have to pay attention to different ‘local’ factors that a ‘global’ theory cannot consider. The use of a contextualist lens to assess the merits of political apologies has one chief ground: any normative theory of political apologies inevitably falls short of enumerating all the necessary and sufficient conditions that an apology in the real world will have to satisfy in order to be successful. There can be no

‘one size fits all’ theory of political apologies because the instances of historical injustice – genocide, enslavement, land displacement, violation of earlier treaties, wartime casualties, ethnic discrimination, cultural disruptions, political seizures, and many other types of human rights abuses – are too disparate to be united under one conceptual umbrella. The contestability and messiness of political apology as a social phenomenon should indeed caution us against embracing any normative theory that aims at ‘uniformity at the prize of distortion’. (J. G. Murphy 2003, p.6)

However, normative theory can tentatively seek to identify criteria against which an apology in the real world should be evaluated. Focussing on the consequences of political apologies provides us with one such criterion.¹³ Importantly, as we have seen in domestic affairs, the consequentialist logic leaves open the question as to what concrete measures must be taken to remedy the historical injustice. The concrete measures remain conditioned by the context in which the apology is issued: they must obviously be attuned to the nature and scope of the historical injustice. It requires good judgment on behalf of elected officials to discover the appropriate means for promoting the societal goal of reconciliation. But we cannot speak of a sincere apology if politicians simply refuse to engage with the continuing legacy of the historical injustice. Without a firm connection between the apology and further reconciliatory practices, asking for forgiveness degenerates into cheap talk. This point holds true both in the case of an apology for the Armenian genocide and in the case of an apology for slavery.

As anticipated in the introduction, one might label the argumentative framework behind this search for the conditions of successful political apologies ‘moderately realist’.¹⁴ By ‘moderately realist’ I mean an account of political agency that distances itself from ideal theory and accepts the permanence of hypocrisy in liberal democracies – this being the ‘realist’ side of the phrase. Yet, as we have seen, such an account simultaneously

stresses the distinction between more and less dangerous forms of hypocrisy – which is the reason why the qualification ‘moderate’ seems indispensable.

To elucidate what I mean by moderate realism, it suffices perhaps to say that, when trying to make sense of social phenomena such as apologies for historical injustice, normative political theorists typically endorse either a moralist or a realist position.¹⁵ This means that they either resolutely insist on politicians acknowledging the unconditional stakes of sincerity in their words and deeds; or they soberly conceive of politics as an independent field of human interaction in which the unconditional stakes of sincerity are rather misplaced. The moralist perspective usually shies away from grappling with the complexity of social phenomena in the real world, by sharply drawing a line between facts and principles. (Cohen 2003) The realist perspective more often than not dismisses all attempts to engage in normative theorising as futile. Applied to apologies for historical injustice, the opposition between moralism and realism translates into the following binary: On the moralist perspective, the model of interpersonal apologies is taken to be authoritative for political apologies, with the result that almost all instances of apologies by democratically elected officials appear insincere and hypocritical. On the realist perspective, the model of interpersonal apologies is completely abandoned, with the result that the sincerity of political apologies becomes entirely irrelevant.

The moderately realist standpoint defended in this paper tries to squeeze itself between this opposition in order to dissolve it. It attempts to liberate us from two extreme visions of political agency that are equally debilitating. The differentiated account of hypocrisy, emerging from a critical engagement with the ideas of Judith Shklar, shows that political agency is more complicated than either moralists or realists want us to believe.

Of course it is the case that politicians apologise for historical injustice when it is in their strategic interest to do so. But this kind of hypocrisy is as unavoidable as it is innocuous, and it would be excessively moralistic to charge politicians with wanting to appear better in the eye of the public than they really are.¹⁶

Does this observation force us into the opposite corner, into coolly espousing a realist position? Through a discussion of the membership theory of political apology in domestic affairs, the paper has revealed that this is not inevitably so. Even if hypocrisy is here to stay, we can still rely on an evaluative yardstick to judge the circumstances under which it should be denounced as harmful. This paper has argued that scrutinising the consequences of an apology provides us with a sincerity test that can be employed to determine when we should be concerned with, or alarmed or outraged by politicians just pretending to be sorry over historical injustice – and when it would make more sense to step back, temper our indignation over politicians shedding tears, and reluctantly, yet gratefully, accept the tribute vice pays to virtue.

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¹ At this point, a caveat seems necessary. Throughout this paper I will exclusively concentrate on the somewhat contested ritual of apology without paying particular attention to the other crucial element of processes of reconciliation, namely, forgiveness. For an illuminating discussion of the asymmetrical relationship between apology and forgiveness, see La Caze 2006. For the most comprehensive compendium on forgiveness, see Worthington 2005

² In this paper, I will this use 'state apology' and 'political apology' synonymously. Structurally, state apologies can be classified as either happening in a constellation of 'many to many' or 'many to one'. Whenever state officials offer an apology to another collective, we speak of a 'many to many' situation. This is the case even if the apology is uttered by an identifiable person, for instance, the Prime Minister, because this

individual, as we shall see later, acts as a spokesperson for a greater community. (Tavuchis 1991; Griswold 2007) Sometimes, however, states might also issue an apology to individuals, in which case we speak of a ‘many to one’ situation. As an example, consider the apology offered by Canadian Prime Minister Stephen Harper to Maher Arar, who, although being a Canadian citizen, had been abducted and tortured in Syria with assistance from Canadian intelligence agencies. (Anon 2007b)

³ Shklar’s point about Puritanism reveals an interesting affinity with Hannah Arendt’s discussion of truth and politics (Arendt 2000, p.549) which I cannot explore here, but which seems to be rather far-reaching.

⁴ One can, of course, also seek to show that a certain type of ‘straight talk’ needs to be contained in democratic politics precisely because a hyper-sincere ideal of civic communication can in fact paralyse open and egalitarian deliberations. However, this rejection of hyper-sincerity does not necessarily lead to a condemnation of truthfulness in politics. (Markovits 2008)

⁵ In this section I deliberately leave aside Ruth Grant’s (1997) important contribution, which only peripherally engages with Shklar’s theory.

⁶ Actually, any ostentatious public display of sorrow – such as, for example, London’s then mayor Ken Livingstone shedding tears in the course of an apology for the city’s role in slavery – might have profoundly adverse effects, since it invites being interpreted as pathos-laden and misguided. (Muir 2007; McCartney 2007) The paradox around the ostentatious public display of sorrow is this: the more an official tries to prove how sincerely an apology is meant, by personalising the remorse and regret over the historical injustice, the more suspicions will be raised about the instrumental motives behind the apology.

⁷ This complex view of membership parallels Rogers Smith’s discussion of ‘political peoples’. (R. M. Smith 2003)

⁸ Although there is an undeniable and intriguing similarity between this account and Axel Honneth’s approach to recognition (Honneth 1996; Brink & Owen 2007), Nobles

does not refer to the German philosopher in her development of the membership theory of political apologies.

⁹ I wish to thank one referee for drawing my attention to the nexus between inclusiveness and stability.

¹⁰ This radical openness of all processes of reconciliation is also the reason why the frequently made connection between transitional justice and the settling of accounts should be critically questioned. (Borneman 1997; Payne 2008)

¹¹ This is not to insinuate that only external pressure exists to acknowledge the genocide. Turkish civil society has also produced initiatives such as the *Özür Diliyorum*-movement ('I apologise'). In 2008, Turkish intellectuals set up a website that features the following statement: 'My conscience does not accept the insensitivity showed to and the denial of the Great Catastrophe that the Ottoman Armenians were subjected to in 1915. I reject this injustice and for my share, I empathise with the feelings and pain of my Armenian brothers and sisters. I apologise to them.' (Anon 2008a) As of March 3, 2011, more than 35.000 people have signed this declaration.

¹² I am grateful to one of the referees for pushing me to explicate further my standpoint through a discussion of this critical objection.

¹³ But this is, of course, not to claim that a more elaborate account would not need to tackle other problems as well, for example, as regards those who are at the receiving end of apologies. A more elaborate account of political apologies would inter alia also have to spell out to how those at whom the political apology is directed can have a say in evaluating its success. I want to thank James Tully for forcefully making this point to me.

¹⁴ In adopting such a moderately realist position, I align my approach with the general framework articulated by political theorists who have raised serious objections to the prevailing mode of ideal theorising. (Geuss 2008; Bellamy 2010; Galston 2010)

¹⁵ This contrast between moralism and realism has, of course, been famously drawn by Bernard Williams. (Williams 2005, p.2)

¹⁶ Another way to clarify what I mean by ‘moderate realism’ would be to refer to Duncan Ivison’s conception of a ‘discursive and dynamic modus vivendi’ in which ‘[t]he parties are motivated to comply with political norms where it is in their interest to do so, but (a) these interests include moral interests, and (b) over time, the demands and practices of social and political cooperation may come to be seen as fair and reasonable’. (Ivison 2002, pp.84-85)

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